IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 9497 of 2005

Between:

M. Neelavaeni D/o M. Chandrarao
R/o M.J.Puram Yelamanchili Visakhapatnam District

..... PETITIONER

AND

The Convener EDCET-2004 Office of Director of School Education Governemnt of A.P., Hyderabad

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in denying the admission to the petitioner into B.Ed. Course in Pursuance of the entrance examination conducted in EDCET-2004 is highly arbitrary, unjust opposed to the principles of natural justice equity and fair play and consequently direct the respondent to admit the petitioner into B.Ed. Course forthwith in the interest of justice and in the circumstances of the case.

Counsel for the Petitioner: MRP.RAJASEKHAR

Counsel for the Respondent: GP FOR SCHOOL EDUCATION

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed seeking a Writ of Mandamus declaring the action of the respondent in denying the admission to the petitioner into B.Ed., course in pursuance of the entrance examination conducted in EDCET-2004 is arbitrary and illegal and consequently to direct the respondent to admit the petitioner into B.Ed., course.

It is not in dispute that as per the rules made under G.O.Ms.No.26 (School Education & Training) A1 dated 03-02-2005 only those candidates who have passed the qualifying examination with an aggregate of 45% of marks and above are eligible for admission.

Petitioner does not dispute the fact that she has not secured the requisite 45% in Part-II (Group Subjects) in the qualifying examination, but she contends that since she has secured 44.83%, the same shall be treated as 45%. The petitioner states that she has already made a representation to the respondent on 10-04-2005 requesting to consider her candidature for admission into B.Ed,. Course, treating her aggregate marks as 45% but the respondent has not considered the same so far. Hence, this writ petition.

Since, the application of the petitioner is pending with the respondent, without going into the merits, I deem it appropriate to dispose of the writ petition with a direction to the respondent to consider the request of the petitioner in her application dated 10-04-2005 and pass appropriate orders in accordance with law.

The writ petition is accordingly disposed of. No order as to costs.

G. ROHINI, J

Dated: 26-04-2005

LSK

To

1. The Convenor EDCET- 2004 Regional Joint Director of School Education, Kakinada - 533 004

2. 2 CCs to the G.P. for Education, High Court Buildings, Hyderabad. (OUT)

3 2 CD copies.